Q: 36 – Title: I have student loans of $9,000, I also own 40 tolas of gold. I am I eligible to pay Zakat?..Qurbani??

Question

(1) I have student loans of $9,000, I also own 40 tolas of gold. I am I eligible to pay Zakat? My husband owes me $5,000 as mehr does he need to pay zakat on that and he also has $2,000 credit card debt.

(2) Under these circumstances do we need to give Qurbani, by the Eid we would still have the same amount of debt.

Answer

In the name of Allah, Most Gracious, Most Merciful

Assalaamu `alaykum waRahmatullahi Wabarakatoh

Zakah is due upon a person when he or she becomes the owner of wealth and after a year elapses on it and after deducting the debts it is equal to the amount of nisab. You stated you have 40 tola of gold. You did not state if you have any other wealth, therefore we will assume this is the total wealth owned by you.

1 tola = 11.664 g

7.5 tola = 87.48 g

40 tola = 466.56 g

1 grams = $25.51 (www.goldprice.org for Oct 31, 2007)

87.48 g = $2231.61

466.56 g = $11,901.46

The value of nisab of gold in U.S. Dollars is $2231.61. The value of 40 tola gold is $11,901.46.

You stated that you have a student loan due upon you. Student loans are long-term loans and only one year’s payment will be considered as debt. Therefore, you will deduct the amount of one year’s payment from $11,901.46. What ever remains, 2.5% zakah will be due upon it.

As for your husband, the mehr due upon him will only be taken into consideration if the husband is making effort to save money and plans to pay off the mehr. If he does not plan to pay the mehr, even though it’s compulsory upon him, then it will not be deducted from wealth as a debt when calculating zakah. After deduction the $2,000 of credit card debt from his total wealth, if what ever remains is equal to nisab, zakah will be due upon it.

Fatawa Mehmoodia (9/320) Jamia Farooqia

Hashiya al-Tahtawi ‘ala al-Durr al-Mukthar (1/391) al-Maktaba al-Arabiya

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الطحطاوى على الدر المختار)

The issue of qurbani is slightly different. Qurbani becomes obligatory upon a person who owns the amount of nisab on the day of Eid al-Adha. All wealth including household items that are not necessities will be taken in to consideration in calculating the amount of nisab. The elapsing of one year on the wealth is not a prerequisite. After the deduction of debts, if the amount of wealth equals to nisab, qurbani will be obligatory.

Fatawa Mehmoodia (9/616) Jamia Farooqia

Majma’ al-Anhur

(وإن لم يكن) النصاب (ناميا) وكدار لا تكون للسكنى ولا للتجارة ، ولو كان له دار واحدة
يسكنها وفضلت عن سكناه يعتبر الفاضل إن كانت قيمته نصابا وكذا ما فضل عن الثلاثة من
الثياب للشتاء والصيف وعن فرسين للغازي وفرس وحمار للغير وعن نسخة واحدة من مصنف من
كتب الفقه لأهلها واثنين من التفسير والحديث الواحد من المصاحف وفي الخلاصة لو كانت له
كتب إن كانت كتب الطب والنجوم والأدب يعتبر نصابا ولا يخالف ما في الزكاة ؛ لأن في هذه
المسألة روايتين فمشى في باب الزكاة على رواية . وفي باب الفطر على أخرى ، ولو كانت له
دور وحوانيت للغلة وهي لا تكفي عياله فهو من الفقراء على قول محمد خلافا لأبي يوسف وعلى
هذا الكرم والأرض ولا يعتبر ما قيمته نصاب من قوت شهر بلا خلاف عندنا . وقال الشافعي تجب
على كل من يملك زيادة على قوت يومه لنفسه وعيال (مجمع الانهر)

If you financial situation remains the same until Eid, qurbani will be obligatory upon you. If your husband on the day of Eid al-Adha owns the amount of nisab after the deduction of debts, then qurbani will be obligatory upon him as well.

And Allah knows best

Wassalam

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